

EXHIBIT 4

From: [Harkins, Steven M. \(Assoc-ATL-LT\)](#)
To: ["Marlene Goldenberg"; CGeddis@mazieslater.com; Miller, Jessica D \(Skadden, Arps, Slate, Meagher & Flom LLP - Washington DC\); c.whiteley@kanner-law.com](#)
Cc: [valpec@kirtlandpackard.com; ASlater@mazieslater.com; Allison.Brown@skadden.com](#)
Subject: RE: [Ext] RE: CMC
Date: Monday, June 27, 2022 3:28:00 PM
Attachments: [image001.png](#)

Marlene,

The parties who need to participate in this meet and confer – which as we’ve indicated, includes a number of Defendants who did not participate in valsartan core discovery – are not available during the times that you, just this morning, proposed for today or tomorrow, and we are working to identify times later this week to have this discussion. While Defendants are open to the general idea of core discovery largely following what took place for valsartan, there are numerous areas where we would like clarification of the scope of the specific items enumerated in your list. Without trying to be exhaustive here, the relevant timeframe for discovery was specific to each Defendant, numerous rulings including the macro-discovery order impacted the scope of responsive material, and Judge Schneider made specific rulings with respect to ANDAs which were approved but never actually marketed in the US, among various other items. We believe the parties are capable of and should resolve these through the meet and confer process rather than asking Judge Vanaskie to enter an order with ambiguous language that will require the Court to revisit each of these issues at a later date.

We object to Plaintiffs including this on the agenda without a meet and confer and requesting a Court order imposing substantial discovery obligations on Defendants without engaging in the basic meet and confer process we have followed throughout this litigation.

I will respond this evening with times Defendants can be available for a meet and confer later in the week.

Best,

Steven M. Harkins
Associate

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